

Toronto, on August 8th, 1912, passed a by-law (number 6167), enacting that "From and after the 19th of August, 1912, all barber shops in the city of Toronto shall be closed and remain closed on each and every day of each week throughout the year except Saturday and the day immediately preceding a public holiday . . . from the hour of eight o'clock in the afternoon of one day to the hour of six o'clock in the forenoon of the next day."

Sub-section 3 of sec. 44 of ch. 257, under which the proceedings were taken, is:—

"(3) If any application is received by or presented to a local council, praying for the passing of a by-law requiring the closing of any class or classes of shops situate within the municipality, and the council is satisfied that such application is signed by not less than three-fourths in number of the occupiers of shops within the municipality and belonging to the class or each of the classes to which such application relates, the council shall, within one month after the receipt or presentation of such application, pass a by-law giving effect to the said application and requiring all shops within the municipality, belonging to the class or classes specified in the application, to be closed during the period of the year, and at the time and hours mentioned in that behalf in the application."

By 4 Edw. VII., ch. 10, sec. 61, this sub-section was expressly made to apply to barber shops.

A petition was presented asking the city council to enact a by-law to have barber shops closed during the hours mentioned therein. The affidavits of execution of the original petition indicate that it was signed not later than June 6th, 1912.

From a letter of the city clerk to the president and members of the Board of Control, dated 4th July, 1912, I learn that on June 10th the Board requested the city clerk "to examine a petition signed by the barbers of the city asking that a by-law be passed to provide for the early closing of barber shops." The letter then explains the procedure adopted in checking over the signatures to the petition, and concludes by stating that the statute provides that "The council shall pass the by-law if satisfied that the petition in favour is signed by not less than three-fourths of the proprietors of barber shops in the municipality."